

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 02-3816

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Samuel E. Massa,

Appellant,

v.

Joel B. Eisenstein; David M.  
Morgan; James Willie Edwards;  
David Wiess; Sue Crowder; Gary  
Davis; Kenneth Romines, Judge;  
St. Louis County; Franklin County;  
Lawrence Davis, Judge,

Appellees.

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\* Appeal from the United States  
\* District Court for the Eastern  
\* District of Missouri.  
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\* [UNPUBLISHED]  
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Submitted: February 7, 2003  
Filed: March 4, 2003

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Before McMILLIAN, MELLOY, and SMITH, Circuit Judges.

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PER CURIAM.

After allowing Samuel Massa to proceed in forma pauperis (IFP), the district court<sup>1</sup> dismissed his complaint, prior to service, under 28 U.S.C. § 1915(e)(2)(B). The court reasoned that the complaint was frivolous because of its similarity to

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<sup>1</sup>The Honorable E. Richard Webber, United States District Judge for the Eastern District of Missouri.

Massa's previous IFP complaint that had been dismissed as frivolous, see Waller v. Groose, 38 F.3d 1007, 1008 (8th Cir. 1994) (per curiam); and that the claims, based on events that occurred more than ten years earlier, were barred by the five-year statute of limitations, see Chandler v. Presiding Judge, Callaway County, 838 F.2d 977, 978-79 (8th Cir. 1988). Massa appeals. Having carefully reviewed the record, we affirm for the reasons stated by the district court. See 8th Cir. R. 47A(a).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.